

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Establishment – Home Department – Sri N Balaiah, Chowkidar, Home Department expired (committed suicide) on 05.12.2000 while in Service– Compassionate appointment in respect of Smt. N Renuka, daughter of the deceased employee as Office Subordinate – Orders – Issued.

HOME (OP-I) DEPARTMENT

G.O.Ms.No. 106

Dated: 05.05.2011

Read the following:-

- Ref: 1) G.O. Ms No. 687, G.A. (Ser.A) Dept., dated: 03-10-1977
2) G.O. Ms No. 2047, G.A. (Ser.A) Dept., dated: 10-10-1983
3) G.O. Ms No. 349, G.A. (Ser.A) Dept., dated: 12-06-1986
4) G.O. Ms No. 612, G.A. (Ser.A) Dept., dated: 30-10-1991
5) Circular Memo.No.60681/Ser.A/2003-1, G.A (Ser.A) Dept.,
Dated;12.08.2003
6) G.O.Ms.No.397, Fin (SMPC) Dept, dated 21.11.2008 read with
G.O.Ms.No.68, Fin (SMPC) Dept, dated 27.02.2009
7) Application of Smt. N Renuka, D/o late Sri N Balaiah, Chowkidar,
Home Deptt., dated 06-02-2001.
8) Memo.No. 32789/OP-I/ A2/2001-3 Home (OP-1) Department.
Dated: 18-4-2001, 10-9-2001 & 28-8-2002.
9) Meme .No.40044/OP-1/ A2/2002 Dated; 03-04-2003
10) Judgement dated 03-11-2009 of Hon'ble High Court in
W.P.No.23550/2009 filed by Home Department

ORDER:

Smt. N Renuka in her representation 7th read above, has informed that her father Sri N Balaiah, Chowkidar, Home Department expired (committed suicide) while in service on 05-12-2000 leaving behind mother and one sister. She has also stated that she belongs to a poor family and after her father's demise, there is no livelihood to their family as there is no other earning member and also there is no other source of income to maintain family. She has requested the Government to appoint her, who has studied up to 12th class, in any suitable post in Home Department, on compassionate grounds. She has also submitted necessary documents, certificates, towards her claim.

2. The Government had earlier examined the request of the applicant for compassionate appointment and rejected the same vide 8th read above, as the same is not feasible.

3. Aggrieved by this, the applicant has approached the Hon'ble A.P.A.T., Hyderabad by filing O. A. No. 9961/2002 and the A.P.A.T in its orders dt 07.01.2003 has suspended the memo dated 28-08-2002 and directed the Govt. to consider the claim of the applicant for appointment to a suitable post on compassionate grounds.

4. Accordingly, the Govt. have examined the matter keeping in view of the orders of Andhra Pradesh Administrative Tribunal, dated 7.01.2003 in O.A No. 9961/2002 and decided to reiterate the stand taken earlier and the request of the individual was rejected vide 9th read above as the request of the applicant is not feasible of compliance, as per rules in vogue.

5. Finally, the APAT has pronounced its Judgment on 12-02-2009, allowed the O.A.No. 9961/02, directing the respondents to consider the case of the applicant and provide compassionate appointment. The Government have filed W.P. in the Hon'ble High Court against the orders dated 12-02-2009 in O.A.No. 9961 of 2002.

6. In the reference 10th read above, the Hon'ble High Court on 03-11-2009 have pronounced the following Judgment in the above W.P. No. 23550 of 2009;

Contd..2.

“The Circular Memo No. 41758/Ser.G/2006-2, dated 19-07-2007 is only clarification to G.O. Ms No. 687, dated 03-10-1987, and we are of the opinion that, even the said G.O. does not prohibit compassionate appointment even in respect of the dependents of the deceased employees, who committed suicide because of mental illness. The present O.A. is pending from 2002 onwards. In fact, there was a specific positive direction to consider the case of the applicant and, therefore, it cannot be said that it is an old case and it amounts to reopening of the old case, as the rejection order, dated 28-08-2002, rejecting the request of the applicant was sub judice before the Tribunal. In view of the aforesaid facts and circumstances of the case, we don't see any merits in the Writ Petition and the same is liable to be dismissed. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs”.

7. The Government, after careful examination of the matter with reference to orders of the Hon'ble High Court and Orders issued vide reference 1st to 6th read above, hereby appoint Smt N Renuka, D/o late N Balaiah, Chowkidar, Home Department, as Office Subordinate, on compassionate grounds in relaxation of rules, on temporary basis in the scale of Pay of Rs. 6700-200-7300-220-7960-240-8680-260-9460-280-10300-300-11200-330-12190-360-13270-390-14440-420-15700-450-17050-490-18520-530-20110/-, with usual allowances admissible to the post of Office Subordinate from time to time, subject to the instructions issued in Memos. 4th to 6th read above and the following conditions on verification of her antecedents:

- i) That her services are liable to be terminated at any time without Assigning any reason, without giving any notice, what-so-ever;
- ii) She should produce original educational qualification and caste certificates showing the date of birth at the time of joining duty for verification and in case of any discrepancy noticed, she shall not be admitted to duty ;
- iii) Health and age certificate issued by a Medical Officer not below the rank of Assistant Civil Surgeon;
- iv) She should submit antecedents form with attestation made by a Gazetted Officer; and
- v) She should maintain properly, the other family members who were dependent on the Government Servant (deceased Government employee). In case, it is proved subsequently (at any time) that, the family members are being neglected or are not being maintained properly by her, the appointment may be terminated forthwith.

8. She should report to duty before the Assistant Secretary to Government (OP), Home Department, A.P. Secretariat, Hyderabad, within (30) days from the date of issue of these orders, failing which she shall forfeit her rights both present and future, without any notice, as per rules in force.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

P. GAUTAM KUMAR,
PRINCIPAL SECRETARY TO GOVERNMENT

To

Smt. N Renuka, D/o Late Sri N Balaiah, Chowkidar, Home Department
H.No.6-1-488/6, Khairatabad, Hyderabad.

Copy to:

The Home (OP-II-Claims) Department
The Accountant General, Andhra Pradesh, Hyderabad
The Pay & Accounts Officer, Andhra Pradesh, Hyderabad
The Director, Local Fund Audit, Hyderabad
The District Employment Officer, Hyderabad
SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER